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**General Assembly**
**Sixty-second session**
Agenda items 12 and 14

**Support by the United Nations system of efforts of Governments to promote and consolidate new or restored democracies**

**Prevention of armed conflict**

**Security Council**
**Sixty-second year**

## Letter dated 20 November 2007 from the Permanent Representatives of Slovakia and South Africa to the United Nations addressed to the Secretary-General

We are pleased to inform you about successful results of the International Workshop on Enhancing United Nations Support for Security Sector Reform in Africa: Towards an African Perspective, which was held in Cape Town, South Africa, on 7 and 8 November 2007.

The workshop was organized by the Republic of South Africa and the Slovak Republic as a follow-up to the open debate during the Slovak presidency in the Security Council in February 2007 and co-chaired by the Ministers for Foreign Affairs of South Africa and Slovakia, Nkosazana Dlamini Zuma and Ján Kubiš.

Once again, the workshop noted that an ineffective and poorly governed security sector could represent a decisive obstacle to peace, stability, poverty reduction, sustainable development, rule of law, good governance and respect for human rights. The workshop identified four key security sector reform themes of particular relevance in the African context: (i) local/national ownership; (ii) national capacity-building; (iii) regional and subregional actors and dimensions of security sector reform; and (iv) the role of external assistance in security sector reform.

While recognizing that the need for security sector reform is not specific to Africa, the workshop identified some of the unique challenges confronting security sector reform in Africa as including the general low level of economic development on the continent, the fragility and weakness of several African States and the complexities arising from the simultaneous intervention of several external actors. The case studies on South Africa, the Sudan, Sierra Leone, the Democratic Republic of the Congo, and Guinea-Bissau served to illustrate some of the challenges and opportunities facing security sector reform on the African continent.

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For your information, attached please find the Statement of the Co-Chairs, which contains the main outcomes of the workshop (see annex).

We should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda items 12 and 14, and of the Security Council.

(*Signed*) Peter **Burian**
Ambassador
Permanent Representative of Slovakia

(*Signed*) Dumisani S. **Kumalo**
Ambassador
Permanent Representative of South Africa

## Annex to the letter dated 20 November 2007 from the Permanent Representatives of Slovakia and South Africa to the United Nations addressed to the Secretary-General

## Statement of the Co-Chairs of the International Workshop on Enhancing United Nations Support for Security Sector Reform in Africa: Towards an African Perspective

**Cape Town, 7 and 8 November 2007**

1. The International Workshop on Enhancing United Nations Support for Security Sector Reform in Africa: Towards an African Perspective was held on 7 and 8 November 2007 in Cape Town, South Africa, with more than 150 participants representing 47 countries, including 25 African countries, the African Union, including ECOWAS and SADC, and the United Nations system as well as several non-governmental organizations. A joint initiative by South Africa and Slovakia, with the support of UNDP, Canada, Norway and Switzerland, this Workshop was organized in the context of the ongoing debate on security sector reform within the United Nations. The Workshop was co-chaired by the Ministers for Foreign Affairs for South Africa and Slovakia, H.E. Dr. Nkosazana Dlamini Zuma and H.E. Mr. Ján Kubiš.

2. As a follow-up to the open debate of the United Nations Security Council held on 20 February 2007, the Workshop was meant to further discuss the role of the United Nations in supporting security sector reform with a focus on Africa. The objectives of the Workshop were: (i) to provide a forum for African States to identify and initiate a debate leading to a common African perspective on security sector needs and governance in all its aspects; (ii) to provide a forum for Africans to make conceptual and policy contributions to the ongoing efforts to articulate a common security sector reform concept for the United Nations; (iii) to make policy recommendations for improving coherence, coordination and comprehensiveness of United Nations and donor support to security sector reform in Africa.

3. The Workshop noted that an ineffective and poorly governed security sector can represent a decisive obstacle to peace, stability, poverty reduction, sustainable development, rule of law, good governance and respect for human rights. In this context, security sector reform may be of critical importance if it is a nationally owned process that is rooted in the specific needs and conditions of the country in question.

4. The Workshop observed that there is still little empirical research and understanding of how security sector reform actually functions in different contexts, non-conflict and post-conflict alike. It was noted, however, that the primary objective of security sector reform is to enhance the security of the citizens of a country. To this end the main strategies are to make the security services more effective and efficient, and to enhance democratic governance of the security sector. It was also agreed that security sector reform needs to be holistic, context-specific, nationally owned, be undertaken with a long-term perspective, and be located within a broader democratic political and governance framework.

**African experiences in security sector reform**

5. While recognizing that the need for security sector reform is not specific to Africa, the Workshop identified some of the unique challenges confronting security sector reform in Africa as including the general low level of economic development on the continent, the fragility and weakness of several African States and the complexities arising from the simultaneous intervention of several external actors.

6. The case studies on South Africa, the Sudan, Sierra Leone, the Democratic Republic of the Congo and Guinea-Bissau, served to illustrate some of the challenges and opportunities facing security sector reform on the African continent. The case of South Africa illustrated the importance of a consultative, inclusive, locally driven and locally funded security sector reform process. The case of the Sudan demonstrated the challenges and complexities of addressing security sector reform issues within the context of a peace agreement. The case of Sierra Leone highlighted the importance of clear political commitment and leadership to security sector reform from within the country and the crucial long-term support and the benefits of a wide consultative process. The case of the Democratic Republic of the Congo highlighted the complexities of the regional dynamics, the problems that flow from uncoordinated external support to security sector reform, particularly in respect to the continuing challenges of reintegrating ex-combatants, and making the linkages between the processes of disarmament, demobilization and reintegration and security sector reform. The case of Guinea-Bissau highlighted the challenges associated with implementing a security sector reform process in a fragile environment with severe resource constraints.

**Key security sector reform issues in Africa**

7. The Workshop identified four key security sector reform themes of particular relevance in the African context, namely, (i) local/national ownership; (ii) national capacity-building; (iii) regional and subregional actors and dimensions of security sector reform; and (iv) the role of external assistance in security sector reform.

8. Local ownership means that security sector reform needs to be shaped or driven by local not external actors, with external actors playing a supportive and enabling role. Local ownership also means that a range of domestic actors including the government, the security services, parliament, and civil society ought to be involved in the development of security sector reform. The challenge is to ensure external support for local initiatives rather than local support for external initiatives.

9. Capacity-building was recognized as a key challenge to security sector reform in many African countries. Capacity-building entails efforts to empower knowledge and skills in relation to understanding, designing and implementing security sector reform and the delivery of security. The net result should be the enhancement of security in a country.

10. The discussions underscored the importance of the role of regional and subregional actors in supporting security sector reform in the African context. Organizations such as the African Union, ECOWAS and SADC have already supported security sector reform activities in the framework of their conflict prevention and post-conflict peacebuilding strategies. In this regard, the participants noted the centrality of the AU Post-Conflict Reconstruction and Development framework. Furthermore, it was agreed that regional actors can facilitate external

engagement in security sector reform, play a coordinating role, and promote a human security agenda.

11. The Workshop acknowledged that external financial and technical assistance in supporting security sector reform efforts is essential. This support should be provided in a facilitating and empowering manner and should not be imposed. The primary responsibility for security sector reform rests with the national States.

**The role of the United Nations in supporting security sector reform**

12. The Workshop noted that the United Nations should play a role in supporting security sector reform activities. This role could include norms and standard setting, coordination, facilitation, convening forums and dialogue on security sector reform at the global, regional and national levels, and the provision of impartial technical advice on a range of security sector reform issues. The results of this Workshop should be reflected in the preparation of the Secretary-General's report. In this context, Member States ought to be fully involved in the consultation process.

13. The Workshop acknowledged that there is a need for a coherent United Nations concept for security sector reform which includes appropriate norms, principles and guidelines. Once such a common understanding has been developed, there is a need for greater clarity on the roles and responsibilities of the various United Nations entities. It will be important to ensure that the United Nations has sufficient capacity to carry out these roles and functions.

**Follow-up**

14. In order to sustain the momentum, and to derive maximum benefits from the Workshop, a number of follow-up activities were identified: (i) the Co-Chairs undertake to bring the results of this Workshop to the attention of the States Members of the United Nations; (ii) the Co-Chairs have agreed to inform the African Union and the European Union or other international organizations of which they are members, as appropriate, about the conclusions and outcomes of the Workshop; (iii) the Co-Chairs encourage the African Union to further develop a common security sector reform concept and strategy in close collaboration with the United Nations and African subregional and civil society organizations.

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**Sixty-second session**
Agenda item 146
**Financing of the United Nations Mission of Support in East Timor**

# Final performance report of the United Nations Mission of Support in East Timor

## Report of the Secretary-General

*Summary*

The present report contains the final performance report of the United Nations Mission of Support in East Timor (UNMISET) and includes information on the assets, outstanding liabilities and fund balance as at 30 June 2007 in respect of the United Nations Transitional Administration in East Timor (UNTAET) and UNMISET, summarized as follows:

(Thousands of United States dollars)

| *Description* | *Amount* |
|---|---|
| Cash assets | 15 800.0 |
| Less: liabilities | 35 208.0 |
| **Cash shortfall** | **(19 408.0)** |
| Uncollected assessments and other receivables[a] | 25 385.0 |
| **Fund balance** | **5 977.0** |

[a] Inclusive of $24,985,000 in assessed contributions receivable from Member States

The report also provides information on the UNTAET and UNMISET income and expenditure as well as budgeted voluntary contributions in kind.

The actions to be taken by the General Assembly are set out in section III of the present report.

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# I. Introduction

1. The Security Council, by its resolution 1272 (1999) established the United Nations Transitional Administration in East Timor (UNTAET) for an initial period until 31 January 2001. The mandate of UNTAET was extended by subsequent Council resolutions, the last of which was resolution 1392 (2002) of 31 January 2002, which extended the mandate of the Transitional Administration until 20 May 2002.

2. By its resolution 1410 (2002), the Security Council established the United Nations Mission of Support in East Timor (UNMISET) as of 20 May 2002 for an initial period of 12 months. The mandate of UNMISET was extended by the Council in its subsequent resolutions, the last of which was resolution 1573 (2004), by which the Council extended the mandate for a final period of six months until 20 May 2005.

3. In accordance with Security Council resolution 1573 (2004), the mandate of UNMISET expired on 20 May 2005.

4. The General Assembly, by its resolution 56/296, decided to continue to use the Special Account established for UNTAET under the terms of its resolution 54/246 A for UNMISET, beginning on 1 July 2002. In this connection, combined financial accounts have been maintained for UNTAET and UNMISET.

**Administrative liquidation**

5. UNMISET liquidation activities commenced during the period from 21 May to 30 June 2005. The administrative closure of the Mission was completed during the period from 1 July to 31 October 2005.

**Disposition of assets**

6. Information on the final disposition of the assets of UNMISET was contained in the report of the Secretary-General (A/60/703). The General Assembly took note of the report in its resolution 60/271.

# II. Financial performance

7. As shown in table 1 below, income to UNTAET and UNMISET totalled $2,034,505,000, derived from assessed contributions ($1,999,127,000) and budgeted voluntary contributions in kind ($300,000) as well as interest ($25,618,000) and other income ($9,460,000). The total amount of assessed contributions was fully appropriated by the General Assembly for the operation and maintenance of UNTAET and UNMISET.

8. Expenditure for the period from 25 October 1999 to 30 June 2007 amounted to $1,884,879,000, inclusive of prior-period ($300,000) and other ($23,000) adjustments, and was partially offset by the amount of $81,777,000 in savings on, or cancellation of prior-period obligations, resulting in net expenditure of $1,803,102,000. The unencumbered balance realized by UNTAET and UNMISET amounted to $231,403,000, while credits returned to Member States amounted to $225,426,000. As at 30 June 2007, the fund balance amounted to $5,977,000.

Table 1
**Income, expenditure and fund balance for the period from inception (25 October 1999) to 30 June 2007**
(Thousands of United States dollars)

| *Description* | *Amount* |
|---|---|
| **Income** | |
| Assessed contributions | 1 999 127.0 |
| Voluntary contributions in kind (budgeted) | 300.0 |
| Interest income | 25 618.0 |
| Other income | 9 460.0 |
| **Total income** | **2 034 505.0** |
| **Expenditure** | |
| Expenditure[a] | 1 884 879.0 |
| Savings on, or cancellation of prior-period obligations | (81 777.0) |
| **Net expenditure** | **1 803 102.0** |
| Unencumbered balance | 231 403.0 |
| Credits returned to Member States | (225 426.0) |
| **Fund balance** | **5 977.0** |

[a] Inclusive of $300,000 in budgeted voluntary contributions in kind and prior-period/other adjustments in the amount of $323,000.

9. Information on the UNTAET and UNMISET cash assets, liabilities and fund balance as at 30 June 2007 is shown in table 2 below.

Table 2
**Cash assets, liabilities and fund balance as at 30 June 2007**
(Thousands of United States dollars)

| *Description* | *Amount* |
|---|---|
| Cash assets | 15 800.0 |
| Less: liabilities | 35 208.0 |
| **Cash shortfall** | **(19 408.0)** |
| Uncollected assessments and other receivables[a] | 25 385.0 |
| **Net assets** | **5 977.0** |
| **Fund balance** | **5 977.0** |

[a] Inclusive of $24,985,000 in assessed contributions receivable from Member States.

10. In paragraphs 9 and 11 of its resolution 61/282 on the financing of UNMISET, the General Assembly decided that Member States that have fulfilled their financial obligations to the Mission shall be credited with their respective share of the unencumbered balance and other income in the amount of $31,835,900 in respect of the financial period ended 30 June 2006, and that for Member States that have not fulfilled their financial obligations to the Mission, their respective share of the unencumbered balance and other income shall be set off against their outstanding obligations.

11. In paragraph 12 of the same resolution, the General Assembly also decided that the increase in the estimated staff assessment income of $4,800 in respect of the financial period ended 30 June 2006 shall be added to the credits from the amount of $31,835,900 referred to in paragraphs 9 and 11 of the resolution. In paragraph 10 of the resolution, the Assembly encouraged Member States that are owed credits referred to in paragraph 9 of the resolution to apply those credits to any accounts where the Member State concerned has outstanding assessed contributions.

12. As at 30 June 2007, the total liabilities of UNTAET and UNMISET amounted to $35,208,000, inclusive of the amount of $31,584,000 payable to Member States and $3,624,000 in other liabilities, while available cash amounted to $15,800,000, resulting in a cash shortfall of $19,408,000 (see table 2). The cash shortfall in the Special Account of UNTAET and UNMISET as at 30 June 2007 was primarily attributable to the uncollected assessed contributions due from Member States in the amount of $24,985,000. As a result of the delays in the receipt of the outstanding assessed contributions, available cash would be insufficient to implement decisions taken by the General Assembly in paragraphs 9 through 12 of its resolution 61/282.

## III. Actions to be taken by the General Assembly

13. **The actions to be taken by the General Assembly in connection with the financing of the United Nations Mission of Support in East Timor are:**

(a) **To suspend, with effect from 29 June 2007, the provisions of paragraphs 9 through 12 of its resolution 61/282 regarding the disposition of credits due to Member States from the total amount of $31,835,900 of unencumbered balance and other income for the period ended 30 June 2006, until outstanding assessed contributions are received;**

(b) **To retain in the Special Account for UNMISET the cash assets of the Mission as at 30 June 2007 in the amount of $15,800,000.**

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**Sixty-second session**
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**Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991**

# Second performance report on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2006-2007

## Report of the Secretary-General

*Summary*

The second performance report on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2006-2007 is submitted pursuant to General Assembly resolution 61/242. The report provides an estimate of the anticipated final level of expenditures for the biennium 2006-2007, taking into account changes in parameters for inflation and exchange rates and cost-of-living adjustments compared with the assumptions made in the first performance report (A/61/585), which was reviewed by the Assembly at its sixty-first session and which formed the basis for the revised appropriation and estimate of income for the biennium.

The revised requirements reflect an increase of $22,405,400 gross ($19,106,900 net) as compared with the revised appropriation for the biennium 2006-2007. The increase in requirements includes changes with respect to the combined effect of exchange rate fluctuations and inflation ($16,998,000 gross ($16,242,100 net)); a commitment authority pursuant to General Assembly resolution 61/263 for the standardized access control project ($1,500,000) and increases in post incumbency and other changes ($3,907,400 gross ($1,364,800 net)).

The General Assembly is requested to revise the appropriation for 2006-2007 to $348,979,300 gross ($316,237,400 net) to the Special Account for the International Tribunal for the Former Yugoslavia.

07-61975 (E) 041207

# I. Introduction

1. The purpose of the present second performance report on the budget for the International Tribunal for the Former Yugoslavia is to provide an estimate of the final level of resources required for the biennium. The estimate is based on actual expenditures for the first 20 months of the biennium, projected requirements for the last four months and changes in inflation and exchange rates and cost-of-living adjustments as compared with the assumption made in the first performance report (A/61/585), which was reviewed by the General Assembly at its sixty-first session and which formed the basis for the revised appropriation for the biennium 2006-2007.

2. The activities of the International Tribunal are predominantly trial based, and most of the requirements are therefore linked to the pace of trial activities.

# II. Explanation of the changes in net expenditure requirements

3. The estimates proposed in the present report reflect an increase of $22,405,400 gross ($19,106,900 net) as compared with the revised appropriation approved by the General Assembly in its resolution 61/242. The distribution of the projected changes and the proposed final appropriation for the International Tribunal for the biennium 2006-2007 are set out in tables 1 and 2.

Table 1
**Estimated final requirements by component and main determining factor**
(Thousands of United States dollars)

| | | *Projected changes* | | | | | |
|---|---|---|---|---|---|---|---|
| *Component* | *Revised 2006-2007 appropriation* | *Rate of exchange* | *Inflation* | *Commitment authority* | *Post incumbency and other changes* | *Total* | *Proposed 2006-2007 final appropriation* |
| Expenditure | | | | | | | |
| Chambers | 9 525.3 | 2 783.2 | (2.0) | — | 631.0 | 3 412.2 | 12 937.5 |
| Office of the Prosecutor | 87 085.0 | 3 637.7 | (122.4) | — | 5 568.7 | 9 084.0 | 96 169.0 |
| Registry | 229 963.6 | 10 567.5 | 134.0 | 1 500.0 | (2 292.3) | 9 909.2 | 239 872.8 |
| **Total expenditure (gross)** | **326 573.9** | **16 988.4** | **9.6** | **1 500.0** | **3 907.4** | **22 405.4** | **348 979.3** |
| Income | | | | | | | |
| Staff assessment | 29 178.1 | 561.2 | 194.7 | — | 2 587.3 | 3 343.2 | 32 521.3 |
| Other income | 265.3 | — | — | — | (44.7) | (44.7) | 220.6 |
| **Total requirements (net)** | **297 130.5** | **16 427.2** | **(185.1)** | **1 500.0** | **1 364.8** | **19 106.9** | **316 237.4** |

Table 2
**Projected expenditures by object of expenditure and main determining factor**
(Thousands of United States dollars)

| | | *Projected changes* | | | | | |
|---|---|---|---|---|---|---|---|
| *Object of expenditure* | *Revised 2006-2007 appropriation* | *Rate of exchange* | *Inflation* | *Commitment authority* | *Post incumbency and other changes* | *Total* | *Proposed 2006-2007 final appropriation* |
| Expenditure | | | | | | | |
| Posts | 163 251.2 | 7 624.8 | (78.3) | — | 5 920.7 | 13 467.2 | 176 718.4 |
| Other staff costs | 25 797.5 | 1 304.1 | (12.7) | — | (4 497.3) | (3 205.9) | 22 591.6 |
| Salaries and allowances of judges | 9 347.6 | 2 781.6 | (0.8) | — | 632.7 | 3 413.5 | 12 761.1 |
| Consultants and experts | 795.5 | 40.7 | (0.4) | — | 32.0 | 72.3 | 867.8 |
| Travel of staff | 7 685.6 | — | (53.7) | — | (859.6) | (913.3) | 6 772.3 |
| Contractual services | 56 973.5 | 2 897.0 | (27.6) | — | 4 014.2 | 6 883.6 | 63 857.1 |
| General operating expenses | 24 655.4 | 1 252.2 | (11.8) | — | (2 431.7) | (1 191.3) | 23 464.1 |
| Hospitality | 14.4 | 0.7 | — | — | (0.7) | — | 14.4 |
| Supplies and materials | 2 507.9 | 141.8 | (0.4) | — | (845.7) | (704.3) | 1 803.6 |
| Furniture and equipment | 5 739.7 | 366.8 | 0.8 | — | (990.7) | (623.1) | 5 116.6 |
| Improvement of premises | 358.3 | 17.5 | (0.2) | 1 500.0 | 347.2 | 1 864.5 | 2 222.8 |
| Grants and contributions | 269.2 | — | — | — | (1.0) | (1.0) | 268.2 |
| Staff assessment | 29 178.1 | 561.2 | 194.7 | — | 2 587.3 | 3 343.2 | 32 521.3 |
| **Total expenditure (gross)** | **326 573.9** | **16 988.4** | **9.6** | **1 500.0** | **3 907.4** | **22 405.4** | **348 979.3** |
| Income | | | | | | | |
| Staff assessment | 29 178.1 | 561.2 | 194.7 | — | 2 587.3 | 3 343.2 | 32 521.3 |
| Other income | 265.3 | — | — | — | (44.7) | (44.7) | 220.6 |
| **Total requirements (net)** | **297 130.5** | **16 427.2** | **(185.1)** | **1 500.0** | **1 364.8** | **19 106.9** | **316 237.4** |

## A. Variations in budgetary assumptions

***Rates of exchange and inflation (increase: $16,998,000)***

4. The increase in this category is attributable to the impact of exchange rate fluctuations ($16,988,400), attributable mainly to the weakening of the dollar vis-à-vis the euro during the period from January to November 2007 and the application of the November exchange rate for December 2007 as well as increased requirements for inflation ($9,600). With regard to inflation, the adjustments are based on the latest information available on consumer price indices as well as adjustments resulting from differences in actual post adjustment indices for staff in the Professional category and above and actual cost-of-living adjustments of salary scales for staff in the General Service and related categories compared with the assumptions made in the revised appropriation. Details of the assumptions used in arriving at the foregoing figures are outline in annex I to the present report.

## B. Other requirements

### Chambers

Table 3
**Projected expenditures by object of expenditure and main determining factor**
(Thousands of United States dollars)

| | | Projected changes | | | | |
|---|---|---|---|---|---|---|
| *Object of expenditure* | *Revised 2006-2007 appropriation* | *Rate of exchange* | *Inflation* | *Post incumbency and other changes* | *Total* | *Proposed 2006-2007 final appropriation* |
| Salaries and allowances of judges | 9 347.6 | 2 781.6 | (0.8) | 632.7 | 3 413.5 | 12 761.1 |
| Consultants and experts | 31.4 | 1.6 | (0.1) | (2.8) | (1.3) | 30.1 |
| Travel of staff | 146.3 | — | (1.1) | 1.1 | — | 146.3 |
| **Total requirements** | **9 525.3** | **2 783.2** | **(2.0)** | **631.0** | **3 412.2** | **12 937.5** |

***Salaries and allowances of judges (increase: $632,700)***

5. The increased requirements under this heading broadly relate to the appointment of three reserve judges, as approved by the Security Council in its resolution 1660 (2006), for which no provisions were made in the 2006-2007 budget proposal ($765,400). In this regard, it should be recalled that the General Assembly, in its decision 60/560, took note of the report of the Secretary-General on revised estimates arising in respect of Security Council resolution 1660 (2006) on the appointment of three reserve judges at the International Tribunal (A/60/844) and requested the Secretary-General to report on any additional requirements arising thereof in the context of the second performance report for the biennium 2006-2007. The increase is partially offset by lower requirements for common costs of judges, including travel on home leave, education allowances, pension benefits for former judges, relocation and installation costs ($132,700).

### Office of the Prosecutor

Table 4
**Projected expenditures by object of expenditure and main determining factor**
(Thousands of United States dollars)

| | | Projected changes | | | | |
|---|---|---|---|---|---|---|
| *Object of expenditure* | *Revised 2006-2007 appropriation* | *Rate of exchange* | *Inflation* | *Post incumbency and other changes* | *Total* | *Proposed 2006-2007 final appropriation* |
| Expenditure | | | | | | |
| Posts | 60 160.3 | 2 810.5 | (144.5) | 5 365.2 | 8 031.2 | 68 191.5 |
| Other staff costs | 13 125.0 | 665.3 | (6.3) | (639.2) | 19.8 | 13 144.8 |
| Consultants and experts | 388.4 | 20.1 | (0.1) | 109.3 | 129.3 | 517.7 |

| *Object of expenditure* | *Revised 2006-2007 appropriation* | *Projected changes* | | | | *Proposed 2006-2007 final appropriation* |
|---|---|---|---|---|---|---|
| | | *Rate of exchange* | *Inflation* | *Post incumbency and other changes* | *Total* | |
| Travel of staff | 2 788.6 | — | (17.8) | (515.8) | (533.6) | 2 255.0 |
| Contractual services | 196.8 | 9.9 | (0.1) | (60.8) | (51.0) | 145.8 |
| Staff assessment | 10 425.9 | 131.9 | 46.4 | 1 310.0 | 1 488.3 | 11 914.2 |
| **Total expenditure (gross)** | **87 085.0** | **3 637.7** | **(122.4)** | **5 568.7** | **9 084.0** | **96 169.0** |
| Income | | | | | | |
| Staff assessment | 10 425.9 | 131.9 | 46.4 | 1 310.0 | 1 488.3 | 11 914.2 |
| **Total requirements (net)** | **76 659.1** | **3 505.8** | **(168.8)** | **4 258.7** | **7 595.7** | **84 254.8** |

***Posts (increase: $5,365,200)***

6. The increase under this heading reflects the combined effect of increases in salaries ($4,198,600) and common staff costs ($1,166,600). Consistently lower than standard vacancy rates have been experienced by the Office of the Prosecutor during the biennium 2006-2007. During 2006, the average vacancy rates were 4.4 per cent for Professional posts and 2.4 per cent for General Service posts, compared with the budgetary assumptions of 9.5 per cent and 7.9 per cent, respectively. During the period from January to August 2007, average vacancy rates were 2.3 per cent for Professional posts and 1.5 per cent for General Service posts. At the time of the preparation of the present report, a total of 13 posts (10 Professional and 3 General Service) remained unencumbered, reflecting actual vacancy rates of 5.1 per cent and 2.4 per cent for Professional and General Service posts, respectively. Furthermore, the increased requirements under common staff costs relate to frequent rotation in the Office resulting in higher payments for installation/repatriation travel and allowances, which has generated a higher rate of actual common staff costs than projected.

7. Provisions under staff assessment amount to $11,914,200, reflecting a net increase of $1,488,300, which is offset by the same amount under income from staff assessment.

***Other staff costs (decrease: $639,200)***

8. The overall reduction is mainly attributable to reduced requirements under mission subsistence allowance ($102,600) and general temporary assistance ($532,300). Decreased requirements under mission subsistence allowance are attributable to the lower than anticipated number of staff stationed in field offices. Reduced requirements under general temporary assistance are attributable to the difficulties faced by the Tribunal in the recruitment of temporary assistance staff required to assist in peak pretrial and trial phases, research and analysis due to the perceived temporary status of the positions.

***Consultants and experts (increase: $109,300)***

9. Increased requirements under this heading relate to two main factors: (a) the higher than budgeted number of expert witnesses, including military analysts, forensic experts, political and historical analysts engaged by the Office of the Prosecutor owing to a decision by the Trial Chamber not to allow in-house experts to provide expert testimony during hearings; and (b) the higher than budgeted number of consultants required to assist prosecution teams in pretrial and trial work owing to the increased complexity of issues generated by the multiple trials of accused persons.

***Travel of staff (decrease: $515,800)***

10. The reduction ($515,800) is a result of the continued efficient management of travel. As in previous bienniums, senior management continued to scrutinize and assess the strategic value and anticipated benefit of each mission, which resulted in less travel, shorter missions and increased reliance on personnel stationed in field offices.

***Contractual services (decrease: $60,800)***

11. The decrease relates to reduced requirements under training owing to the heavy workload associated with the heavy pace of trial activity, both at the trial and appellate level, resulting in the inability of staff to attend training courses as initially programmed for the biennium 2006-2007.

## Registry

Table 5
**Projected expenditures by object of expenditure and main determining factor**
(Thousands of United States dollars)

| | | *Projected changes* | | | | | |
|---|---|---|---|---|---|---|---|
| *Object of expenditure* | *Revised 2006-2007 appropriation* | *Rate of exchange* | *Inflation* | *Commitment authority* | *Post incumbency and other changes* | *Total* | *Proposed 2006-2007 final appropriation* |
| Expenditure | | | | | | | |
| Posts | 103 090.9 | 4 814.3 | 66.2 | — | 555.5 | 5 436.0 | 108 526.9 |
| Other staff costs | 12 672.5 | 638.8 | (6.4) | — | (3 858.1) | (3 225.7) | 9 446.8 |
| Consultants and experts | 375.7 | 19.0 | (0.2) | — | (74.5) | (55.7) | 320.0 |
| Travel of staff | 4 750.7 | — | (34.8) | — | (344.9) | (379.7) | 4 371.0 |
| Contractual services | 56 776.7 | 2 887.1 | (27.5) | — | 4 075.0 | 6 934.6 | 63 711.3 |
| General operating expenses | 24 655.4 | 1 252.2 | (11.8) | — | (2 431.7) | (1 191.3) | 23 464.1 |
| Hospitality | 14.4 | 0.7 | — | — | (0.7) | — | 14.4 |
| Supplies and materials | 2 507.9 | 141.8 | (0.4) | — | (845.7) | (704.3) | 1 803.6 |
| Furniture and equipment | 5 739.7 | 366.8 | 0.8 | — | (990.7) | (623.1) | 5 116.6 |
| Improvement of premises | 358.3 | 17.5 | (0.2) | 1 500.0 | 347.2 | 1 864.5 | 2 222.8 |

| *Object of expenditure* | *Revised 2006-2007 appropriation* | *Projected changes* | | | | | *Proposed 2006-2007 final appropriation* |
|---|---|---|---|---|---|---|---|
| | | *Rate of exchange* | *Inflation* | *Commitment authority* | *Post incumbency and other changes* | *Total* | |
| Grants and contributions | 269.2 | — | — | — | (1.0) | (1.0) | 268.2 |
| Staff assessment | 18 752.2 | 429.3 | 148.3 | — | 1 277.3 | 1 854.9 | 20 607.1 |
| **Total expenditure (gross)** | **229 963.6** | **10 567.5** | **134.0** | **1 500.0** | **(2 292.3)** | **9 909.2** | **239 872.8** |
| Income | | | | | | | |
| Staff assessment | 18 752.2 | 429.3 | 148.3 | — | 1 277.3 | 1 854.9 | 20 607.1 |
| Other income | 265.3 | — | — | — | (44.7) | (44.7) | 220.6 |
| **Total requirements (net)** | **210 946.1** | **10 138.2** | **(14.3)** | **1 500.0** | **(3 524.9)** | **8 099.0** | **219 045.1** |

***Posts (increase: $555,500)***

12. The increase is attributable to increased requirements under salaries ($3,817,800) owing to the lower than budgeted vacancy rate realized for the biennium 2006-2007, partly offset by decreased requirements under common staff costs arising from lower than budgeted actual rates of common staff costs ($3,262,300). The budgetary assumptions included a vacancy rate of 9.5 per cent for the Professional category and above and 7.9 per cent for the General Service and related categories. During 2006, the average vacancy rates experienced at the Registry were 6.3 per cent for the Professional category and 3.6 per cent for General Service category. For the period from January to August 2007, the average vacancy rates were 3.1 per cent for the Professional category and 4.2 per cent for the General Service category, resulting in increased requirements under this heading. At the time of the preparation of the present report, a total of 23 posts (3 Professional and 20 General Service) remained unencumbered, reflecting actual vacancy rates of 1.2 per cent for Professional posts and 4.2 per cent for General Service posts.

13. Provisions under staff assessment amount to $20,607,100, reflecting a net increase of $1,854,900, which is offset by an equivalent amount under income from staff assessment.

***Other staff costs (decrease: $3,858,100)***

14. The reduction is mainly attributable to reduced requirements under interpretation ($1,534,600), translation ($1,305,600), general temporary assistance ($483,100), overtime ($327,700) and mission subsistence allowance ($34,000). Reduced requirements under interpretation and translation are mainly attributable to delays in the proceedings, due to reasons beyond the Tribunal's control, which had an impact on court room utilization and hearing time and, in turn, resulted in lower actual than budget requirements for interpreters and translators in support of trials. The reduction under general temporary assistance is broadly attributable to the difficulties faced by the Tribunal in the recruitment of temporary assistance staff during peak workload periods due to the perceived temporary status of the positions. The decrease under overtime has been achieved through continuous and rigorous monitoring of requests for overtime, whereas reduced requirements under mission

subsistence allowance are broadly attributable to the lower than estimated number of staff stationed in field offices.

***Consultants and experts (decrease: $74,500)***

15. The decrease is broadly attributable to the fact that fewer expert witnesses were required to travel to The Hague during the biennium.

***Travel of staff (decrease: $344,900)***

16. The reduction relates primarily to reduced requirements under travel of staff accompanying witnesses to and from The Hague owing to measures introduced by the Registry during the biennium resulting in more efficient planning and coordination of escort travel.

***Contractual services (increase: $4,075,000)***

17. The increase is mainly attributable to additional requirements for defence counsel fees ($2,070,200) as well as increased requirements under detainee services ($2,986,600). The increase is broadly offset by reduced requirements under contractual translation and verbatim reporting ($1,011,400).

18. The increase under defence counsel fees ($2,070,200) arises from changes in the composition and profile of trials as compared to the assumptions used in the preparation of the 2006-2007 budget. In particular, the trial schedule was significantly altered as a result of the death of Slobodan Milošević in March 2006. The Popović et al. case, involving seven co-accused, which was initially scheduled to begin in June 2007, opened instead in September 2006. As a result of this early start, the Tribunal faced additional costs of over $2 million, which were not foreseen at the time of the preparation of the budget. The reduced requirements of approximately $750,000 associated with the early conclusion of the Milošević trial were not sufficient to offset the additional costs generated by the above-mentioned trial of multiple accused. At the same time, additional legal fees and travel expenses were incurred during the biennium in respect of the Mrkšić trial, which was originally expected to be referred to the region under rule 11 bis but was actually tried in The Hague following a decision of the Appeals Chambers. Furthermore, pretrial legal fees were not budgeted for in the 2006-2007 budget in respect of the two fugitives apprehended in July 2007.

19. Regarding the increased requirements under detainee services ($2,986,600), it should be recalled that at the time of the preparation of the proposed budget for the biennium 2006-2007, the Detention Unit consisted of 68 cells located within the Scheveningen penitentiary complex in two separate blocks of 36 and 32 cells, respectively. At that time, it was projected that the then existing cell capacity of 68 cells would not be sufficient to accommodate the estimated detainee population for the biennium 2006-2007. In view of that situation, discussions were initiated with the authorities of the Government of the Netherlands for the transfer of detainees to another unit within the penitentiary with a higher cell capacity. During the preliminary discussions, the authorities indicated that they would be prepared to make available to the Tribunal a unit consisting of 84 cells. However, at the time of preparing the budget, the Tribunal had not been provided with information on the additional costs, and no provisions were therefore made in the context of the proposed budget for the biennium 2006-2007. It should be noted that during its

consideration of the proposed budget for the biennium 2006-2007, the Advisory Committee on Administrative and Budgetary Questions was informed that any additional requirements associated with the increase in the number of cells would be reported in the context of the performance report for the biennium 2006-2007. Towards the end of 2005, an agreement was reached between the Tribunal and the authorities of the Netherlands resulting in an increase in cell capacity of 16 additional cells, from 68 to 84. The actual move of detainees to the unit with higher cell capacity took place in December 2005.

***General operating expenses (decrease: $2,431,700)***

20. The reduction under this heading relates broadly to reduced requirements under miscellaneous services ($1,052,600) owing to the lower than budgeted number of families in need of temporary relocation within the Netherlands as well as a reduction under general insurance resulting from an increase in the deductible amount for property and liability insurance, which in turn yielded lower insurance premiums. The reduction also relates to reduced requirements under: (a) miscellaneous maintenance services as a result of a new access security system being installed in the biennium 2006-2007, which is still under warranty ($298,100); (b) rental of office equipment owing to renegotiation of the terms and conditions of the lease agreement for photocopiers ($557,900); (c) communications due to economies achieved through sharp competition in the deregulated European telecommunications industry, improvements in satellite communications and reduced field communication charges ($400,600); and (d) maintenance of various items of equipment resulting from proactive maintenance and equipment life cycle replacement programmes implemented by the Tribunal ($478,900).

21. The reduction is broadly offset by increased requirements under utilities ($261,700) based on usage due to extended working hours and increases under maintenance of office automation equipment ($93,600), reflecting the strategy of the Information Technology Support Section in migrating from acquisition of equipment towards turnkey lease and maintenance agreement contracts.

***Supplies and materials (decrease: $845,700)***

22. The decrease under this heading is mainly attributable to reduced requirements under stationery and office supplies, including data processing and communications supplies, owing to strict controls implemented on the use of stationery and office supplies throughout the different organs of the Tribunal and to the greater use of disclosure of evidence and other legal materials in electronic rather than hardcopy format, made possible through the expansion of the e-court and electronic data systems, as well as the more intensive use of e-mail for text/image document transmissions ($597,300). The reduction also relates to decreased requirements under petrol, oil and other lubricants as a result of reduced travel activity in the field offices, which also brought about a decrease in vehicle utilization ($109,600); as well as reduced requirements under uniforms ($123,600).

***Furniture and equipment (decrease: $990,700)***

23. The reduction reflects the transition from an acquisition-based management approach to a maintenance life cycle management approach through turnkey leasing. The decrease relates broadly to reduced requirements under: (a) furniture and

fixtures ($34,600); (b) acquisition of office automation equipment ($873,300); (c) acquisition of audio-visual equipment ($172,100); (d) communications equipment ($77,900); and (e) security and safety equipment ($19,000). The reduction is partly offset by increased requirements under acquisition of software packages ($211,100) relating to the upgrade of the Microsoft Office operating system platform scheduled to take place at the end of 2007.

***Improvement of premises (increase: $347,200)***

1. ***Construction, alteration and maintenance of premises (increase: $490,800)***

24. The increase pertains primarily to increased requirements under construction, alteration and maintenance of premises ($490,800) relating to the handover costs of the main building to the landlord. As per the terms and conditions of the new lease agreement, a handover fee would be due to the landlord in order to cover the costs associated with alterations made by the Tribunal over the years. That is, an indexed handover fee would apply in lieu of demolition and/or restoration of the building to its original state. It should be noted that it would be most cost effective to incur this expense now so as to avoid any increase over time given that the index is equivalent to approximately $10,000 per year.

2. ***Security improvement of premises (decrease: $143,600)***

25. Under the terms of General Assembly resolution 61/263 on a strengthened and unified security management system, the Secretary-General is authorized to enter into commitments up to $1,500,000 under the budget of the International Tribunal, without prejudice to the implementation of projects previously approved for the biennium 2006-2007 to be reported in the context of the second performance report, to implement the first phase of the standardized access control system.

26. Under the provisions of resolution 61/263, commitments in the amount of $1,356,400 have been entered into, reflecting a decrease of $143,600 from the authorized level, as follows: (a) closed circuit television ($325,300); (b) access control barriers ($671,400); and (c) security control room ($359,700).

# III. Conclusion

27. **The General Assembly is requested to take note of the present report and to approve the final appropriation for the biennium 2006-2007 of $348,979,300 gross ($316,237,400 net) to the Special Account for the International Tribunal for the Former Yugoslavia.**

# Annex I

## Budgetary assumptions

The following parameters were used in formulating the present proposed estimates for the final appropriation:

| *Budget parameters* | *Estimates used for the revised appropriation* | | *Proposed estimates for the final appropriation* | |
|---|---|---|---|---|
| | *2006* | *2007* | *2006* | *2007* |
| Rate of exchange (US$ 1: €) | 0.80 | 0.80 | 0.80 | 0.73 |
| Rate of inflation (percentage) | 1.40 | 1.60 | 1.1 | 1.8 |
| Post adjustment multiplier at The Hague (percentage) | 47.43 | 44.15 | 47.84 | 55.34 |

# Annex II

## Trial activity during the biennium 2006-2007

1. The three Trial Chambers of the Tribunal continued to operate at record capacity with two separate sittings in each of the Tribunal's three courtrooms from early morning through to the evening. With the three available courtrooms, the Tribunal is able to run six trials (in hearing phase) simultaneously per day from 9 a.m. to 7 p.m. In 2007, the Tribunal was, however, able to accommodate the running of a full seventh trial. This was made possible by: (a) making use of free courtroom space resulting from unavoidable delays in the proceedings; and (b) assigning judges to serve on more than one case at a time. Furthermore, in order to expedite the hearing of trials, two of the Chambers hearing multiple accused cases held additional hearings during the three-week summer recess period, taking advantage of the extended availability of the three courtrooms. Additionally, during the fourth quarter of 2007, the Tribunal started a new trial while the judgment of another trial was in drafting phase, thus increasing the number of active trials to a record number of eight trials.

2. As at the time of the present report, out of the 161 accused indicted by the Tribunal, 11 accused remain at the pretrial stage, awaiting the commencement of their trials, and a further four accused are still at large. A total of 27 accused are presently being tried (a record number) and an additional eight have appeals pending. All other cases have been completed.

3. The Slobodan Milošević case was terminated on 14 March 2006 upon the death of the accused. The Krajišnik case ended on 31 August 2006 and the judgment was rendered on 27 September 2006. The Haradinaj et al. (three accused) case started on 5 March 2007. It is estimated that the trial will finish by March 2008.

4. The Mrkšić et al. case (three accused) commenced on 11 October 2005 and trial proceedings closed on 16 March 2007. The judgment was rendered on 27 September 2007. The Trial Chamber, while working on the writing of the judgment, started a new case, Boškoski and Tarčulovski, on 16 April 2007. Opening statements by the Office of the Prosecutor were heard on 16 April 2007. The presentation of evidence by the prosecution commenced on 7 May 2007.

5. On 15 March 2006, judgment was delivered in the Hadžihasanović and Kubura case. The Trial Chamber commenced the Prlić et al. case (six accused) on 26 April 2006. There was an adjournment from 6 to 12 June 2006 in this case, owing to a site visit by the Trial Chamber to the former Yugoslavia. The trial is estimated to finish by January 2009.

6. The Martić case commenced on 13 December 2005 and the trial ended on 12 January 2007. The judgment in the Martić case was rendered on 12 June 2007. The Milutinović et al. case (six accused) commenced 10 July 2006. The prosecution closed its case on 7 May 2007. There was an adjournment in this case (18 May 2007 through 22 June 2007), for rule 98 bis deliberations, and from 25 June 2007 to 3 August 2007 to allow the defence to prepare its case. The trial resumed on 6 August 2007, sitting extended hours during the court recess, and is estimated to finish by September 2008.

7. The Delić case started on 12 July 2007. The trial is scheduled to finish by June 2008. The Orić case commenced on 6 October 2004 and the trial ended on 10 April 2006. The judgment in the Orić case was rendered on 30 June 2006. The Trial Chamber started the Popović et al. case (seven accused) on 14 July 2006. The Popović trial case is estimated to end by April 2009.

8. The Dragomir Milošević case commenced on 11 January 2007 and the trial case ended on 10 October 2007. A site visit was conducted from 18 to 22 March. The prosecution ended its case on 2 May 2007, the rule 98 bis decision was rendered on 3 May, and the defence began its case on 24 May 2007. The case is currently in the judgment writing phase. Judgment is expected by the end of December 2007.

9. The pretrial conference in the Šešelj case commenced on 27 November 2006, followed by the opening statement of the Office of the Prosecutor. The trial adjourned on 1 December 2006 owing to the failing health of the accused. The trial was eventually annulled by the decision of the Appeals Chamber of 8 December 2006, following an appeal lodged by the accused against the imposition of assigned counsel by the Trial Chamber. The trial started on 7 November 2007. On 11 November 2006, Šešelj commenced a hunger strike at the Detention Unit, which he ended on 8 December 2006. In order to maximize courtroom usage, the Chambers decided to advance the start of the Dragomir Milošević trial to fill the gap left in the schedule following the delays in the Šešelj case.

10. Finally, the preparation of judgments in connection with cases scheduled for completion during the biennium required considerable work outside the courtrooms.

# Annex III

## Voluntary contributions and trust fund activities

1. The General Assembly, in its resolutions 49/242 B and 53/212, invited Member States and other interested parties to make voluntary contributions to the International Tribunal for the Former Yugoslavia both in cash and in the form of services and supplies acceptable to the Secretary-General. As at 31 October 2007, cash donations of approximately $43.4 million had been received for the Voluntary Fund to support the activities of the Tribunal. Furthermore, pledges amounting to $780,400 have also been received. For the period from 1 January 2006 to 31 October 2007, the Tribunal received $1,220,800 in voluntary cash contributions.

2. Voluntary contributions have been utilized for activities related to supporting the Tribunal's prosecution and Registry activities, including the arrest initiative, victims and witnesses support, the outreach programme, continued development of the Tribunal's library and advocacy training activities. The status of voluntary cash contributions and cash pledges to support the activities of the Tribunal, as at 31 October 2007, is as follows:

**Cash contributions to the Voluntary Fund, by contributor, as at 31 October 2007**

(Thousands of United States dollars)

| | |
|---|---|
| Contributions from inception to 31 December 2005 | 42 273.1 |
| Contributions from 1 January 2006 to 31 October 2007 | |
| Foundation Open Society Institute | 20.0 |
| European Commission | 1 180.7 |
| Norway | 20.1 |
| **Subtotal** | **1 220.8** |
| **Total** | **43 493.9** |

**Cash pledges to the Voluntary Fund, by contributor, as at 31 October 2007**

(Thousands of United States dollars)

| | | |
|---|---|---|
| European Commission | Balance (2006 grant) | 653.1 |
| European Commission | Balance (2005 grant) | 125.0 |
| German Bar Association | Library | 2.3 |
| **Total** | | **780.4** |

**Projected expenditures by object of expenditure**

(Thousands of United States dollars)

| *Object of expenditure* | *2006-2007 estimate*[a] | *2006-2007 revised estimate* | *Increase (decrease)* |
|---|---|---|---|
| Posts | — | — | — |
| Other staff costs | 3 695.0 | 3 780.5 | 85.5 |
| Consultants and experts | 13.0 | 13.0 | — |
| Travel | 57.4 | 57.4 | — |
| Contractual services | 76.9 | 76.9 | — |
| General operating expenses | 22.7 | 22.7 | — |
| Supplies and materials | 14.0 | 14.0 | — |
| Furniture and equipment | 27.4 | 27.4 | — |
| **Total** | **3 906.4** | **3 991.9** | **85.5** |

[a] A/62/374.

3. The increase in the revised requirements relates mainly to exchange rate fluctuations.

United Nations A/62/557

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Agenda item 138
**Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994**

# Second performance report on the budget of the International Criminal Tribunal for Rwanda for the biennium 2006-2007

## Report of the Secretary-General

*Summary*

The second performance report on the budget of the International Criminal Tribunal for Rwanda for the biennium 2006-2007 is submitted pursuant to General Assembly resolution 61/241. The report reflects an increase in requirements of $2,384,700 gross ($2,357,200 net), as compared with the revised appropriation for the biennium 2006-2007. The additional requirements reflect changes with respect to the combined effect of exchange rates and inflation ($2,985,200 gross ($2,973,000 net)) and a commitment authority pursuant to General Assembly resolution 61/263 related to the standardized access control project ($1,975,000), partially offset by decreases in post incumbency and other changes ($2,575,500 gross ($2,590,800 net)).

The General Assembly is requested to revise the appropriation for 2006-2007 to $279,512,400 gross ($257,114,600 net) to the Special Account for the International Criminal Tribunal for Rwanda.

07-62081 (E) 051207

# I. Introduction

1. The purpose of the second report on the performance of the budget for the International Criminal Tribunal for Rwanda is to provide an estimate of the final level of resources required for the biennium. The estimate is based on actual expenditures for the first 20 months of the biennium, projected requirements for the last four months and changes in inflation and exchange rates and cost-of-living adjustments, as compared with the assumption made in the first performance report (A/61/586), which was reviewed by the General Assembly at its sixty-first session and which formed the basis for the revised appropriation for the biennium 2006-2007.

2. The activities of the Tribunal are predominantly trial based, and most of the requirements are therefore linked to the pace of trial activities.

# II. Explanation of the changes in net expenditure requirements

3. The estimates proposed in the present report reflect an increase of $2,384,700 gross ($2,357,200 net) as compared with the revised appropriation approved by the General Assembly in its resolution 61/241. The distribution of the projected changes and the proposed final appropriation for the Tribunal for the biennium 2006-2007 are set out in tables 1 and 2.

Table 1
**Estimated final requirements by component and main determining factor**
(Thousands of United States dollars)

| | | *Projected changes* | | | | | |
|---|---|---|---|---|---|---|---|
| *Object of expenditure* | *Revised appropriation* | *Rate of exchange* | *Inflation* | *Commitment authority*[a] | *Post incumbency and other changes* | *Total* | *Proposed final appropriation* |
| Expenditure | | | | | | | |
| Chambers | 10 056.2 | 22.4 | 32.6 | — | (807.3) | (752.3) | 9 303.9 |
| Office of the Prosecutor | 70 411.6 | 362.9 | 185.6 | — | (5 079.3) | (4 530.8) | 65 880.8 |
| Registry | 196 659.9 | 1 471.4 | 910.3 | 1 975.0 | 3 311.1 | 7 667.8 | 204 327.7 |
| **Total expenditure (gross)** | **277 127.7** | **1 856.7** | **1 128.5** | **1 975.0** | **(2 575.5)** | **2 384.7** | **279 512.4** |
| Income | | | | | | | |
| Staff assessment | 22 370.3 | 64.8 | (52.6) | — | 15.3 | 27.5 | 22 397.8 |
| **Total requirements (net)** | **254 757.4** | **1 791.9** | **1 181.1** | **1 975.0** | **(2 590.8)** | **2 357.2** | **257 114.6** |

[a] Resolution 61/263.

Table 2
**Projected expenditures by object of expenditure and main determining factor**
(Thousands of United States dollars)

| | | *Projected changes* | | | | | |
|---|---|---|---|---|---|---|---|
| *Object of expenditure* | *Revised appropriation* | *Rate of exchange* | *Inflation* | *Commitment authority*[a] | *Post incumbency and other changes* | *Total* | *Proposed final appropriation* |
| Expenditure | | | | | | | |
| Posts | 187 887.6 | 1 311.0 | 444.8 | — | (7 004.4) | (5 248.6) | 182 639.0 |
| Other staff costs | 4 171.4 | 36.2 | 59.5 | — | 831.5 | 927.2 | 5 098.6 |
| Salaries and allowances of judges | 9 445.1 | 22.4 | 36.9 | — | (811.7) | (752.4) | 8 692.7 |
| Consultants and experts | 1 061.7 | 10.3 | 16.3 | — | (293.4) | (266.8) | 794.9 |
| Travel of representatives | 611.1 | — | (4.3) | — | 4.4 | 0.1 | 611.2 |
| Travel | 5 926.3 | — | (44.0) | — | 43.5 | (0.5) | 5 925.8 |
| Contractual services | 23 489.4 | 226.0 | 361.1 | — | 7 070.2 | 7 657.3 | 31 146.7 |
| General operating expenses | 12 865.9 | 116.2 | 202.7 | — | (2 068.3) | (1 749.4) | 11 116.5 |
| Hospitality | 6.2 | 0.1 | 0.1 | — | — | 0.2 | 6.4 |
| Supplies and materials | 2 565.4 | 28.3 | 43.5 | — | 14.3 | 86.1 | 2 651.5 |
| Furniture and equipment | 3 581.1 | 41.2 | 62.9 | — | (437.3) | (333.2) | 3 247.9 |
| Improvement of premises | 339.0 | 0.2 | 1.6 | 1 975.0 | (70.3) | 1 906.5 | 2 245.5 |
| Grants and contributions | 2 807.2 | — | — | — | 130.7 | 130.7 | 2 937.9 |
| Staff assessment | 22 370.3 | 64.8 | (52.6) | — | 15.3 | 27.5 | 22 397.8 |
| **Total expenditure (gross)** | **277 127.7** | **1 856.7** | **1 128.5** | **1 975.0** | **(2 575.5)** | **2 384.70** | **279 512.4** |
| Income | | | | | | | |
| Staff assessment | 22 370.3 | 64.8 | (52.6) | — | 15.3 | 27.5 | 22 397.8 |
| **Total requirements (net)** | **254 757.4** | **1 791.9** | **1 181.1** | **1 975.0** | **(2 590.8)** | **2 357.2** | **257 114.6** |

[a] Resolution 61/263.

## A. Variations in budgetary assumptions

***Rates of exchange and inflation (increase: $2,985,200)***

4. The increase in this category is attributable to the impact of rate fluctuations ($1,856,700) and inflation ($1,128,500). The additional requirements under exchange rates reflect the weakening of the United States dollar, primarily against the Tanzanian shilling, during the period from January to November 2007, and the application of the November exchange rate for December 2007. With respect to inflation, the adjustments are based on the latest information available on consumer price indices and adjustments resulting from differences in actual post adjustment indices for staff in the Professional category and above, and actual cost-of-living adjustments of salary scales for staff in the General Service and related categories compared with the assumptions made in the revised appropriations. Details of the assumptions are reflected in annex I to the present report.

## B. Other requirements

### Chambers

Table 3
**Projected expenditures by object of expenditure and main determining factor**
(Thousands of United States dollars)

| *Object of expenditure* | *Revised appropriation* | *Projected changes* | | | | *Proposed final appropriation* |
|---|---|---|---|---|---|---|
| | | *Rate of exchange* | *Inflation* | *Post incumbency and other changes* | *Total* | |
| Salaries and allowances of judges | 9 445.1 | 22.4 | 36.9 | (811.7) | (752.4) | 8 692.7 |
| Travel of representatives | 611.1 | — | (4.3) | 4.4 | 0.1 | 611.2 |
| **Total requirements** | **10 056.2** | **22.4** | **32.6** | **(807.3)** | **(752.3)** | **9 303.9** |

***Salaries and allowances of judges (decrease: $811,700)***

5. The decreased requirements under this heading are attributable mainly to lower requirements under common costs ($1,227,200) for repatriation and installation costs following the decision to extend the tenure of judges beyond 2007. The reduced requirement is partially offset by additional requirements under honorariums ($367,400) and pension adjustments ($48,100) to reflect the revised emoluments of the judges effective 1 January 2007 in line with General Assembly resolution 61/262.

### Office of the Prosecutor

Table 4
**Projected expenditures by object of expenditure and main determining factor**
(Thousands of United States dollars)

| *Object of expenditure* | *Revised appropriation* | *Projected changes* | | | | *Proposed final appropriation* |
|---|---|---|---|---|---|---|
| | | *Rate of exchange* | *Inflation* | *Post incumbency and other changes* | *Total* | |
| Expenditure | | | | | | |
| Posts | 59 194.5 | 350.1 | 187.0 | (4 731.8) | (4 194.7) | 54 999.8 |
| Consultants and experts | 413.9 | 3.8 | 6.0 | (1.1) | 8.7 | 422.6 |
| Travel | 3 104.0 | — | (21.8) | (195.1) | (216.9) | 2 887.1 |
| General operating expenses | 639.4 | 2.9 | 19.9 | (181.0) | (158.2) | 481.2 |
| Staff assessment | 7 059.8 | 6.1 | (5.5) | 29.7 | 30.3 | 7 090.1 |
| **Total expenditure (gross)** | **70 411.6** | **362.9** | **185.6** | **(5 079.3)** | **(4 530.8)** | **65 880.8** |
| Income | | | | | | |
| Staff assessment | 7 059.8 | 6.1 | (5.5) | 29.7 | 30.3 | 7 090.1 |
| **Total requirements (net)** | **63 351.8** | **356.8** | **191.1** | **(5 109.0)** | **(4 561.1)** | **58 790.7** |

***Posts (decrease: $4,731,800)***

6. The decrease under this heading is caused by the combined effect of reductions in salaries ($1,580,500) and common staff costs ($3,151,300). Consistently higher than standard vacancy rates have been experienced by the Office of the Prosecutor during the biennium 2006-2007. During 2006, the average vacancy rates were 16.9 per cent for Professional posts and 17.9 per cent for General Service posts, compared with the budgetary assumptions of 15.1 per cent and 8.9 per cent respectively. During the period from January to October 2007, average vacancy rates were 20.4 per cent for Professional posts and 18.2 per cent for General Service posts. At the time of preparation of the present report, a total of 53 posts (43 Professional and 10 General Service) remained unencumbered, reflecting actual vacancy rates of 23.7 per cent and 21.7 per cent for Professional and General Service posts, respectively. Furthermore, the reductions under common staff costs reflect both the realized vacancy rates described above and the lower than budgeted actual rate of common staff costs.

7. Provisions under staff assessment amount to $7,090,100, reflecting a net increase of $30,300, which is offset under income from staff assessment.

***Travel (decrease: $195,100)***

8. The decrease pertains to lower requirements under travel of staff owing to streamlining measures implemented by the Office of the Prosecutor to keep the number of missions to the minimum as well as lower requirements by the Intelligence Tracking Unit.

***General operating expenses (decrease: $181,000)***

9. The decrease under this heading reflects the lower requirements by the Intelligence Tracking Unit for operational expenses related to the cost of providing security protection to prosecution witnesses, insider cases and informants.

## Registry

Table 5
**Projected expenditures by object of expenditure and main determining factor**
(Thousands of United States dollars)

| | | *Projected changes* | | | | | |
|---|---|---|---|---|---|---|---|
| *Object of expenditure* | *Revised appropriation* | *Rate of exchange* | *Inflation* | *Commitment authority*[a] | *Post incumbency and other changes* | *Total* | *Proposed final appropriation* |
| Expenditure | | | | | | | |
| Posts | 128 693.1 | 960.9 | 257.8 | — | (2 272.6) | (1 053.9) | 127 639.2 |
| Other staff costs | 4 171.4 | 36.2 | 59.5 | — | 831.5 | 927.2 | 5 098.6 |
| Consultants and experts | 647.8 | 6.5 | 10.3 | — | (292.3) | (275.5) | 372.3 |
| Travel | 2 822.30 | — | (22.2) | — | 238.6 | 216.4 | 3 038.7 |
| Contractual services | 23 489.4 | 226.0 | 361.1 | — | 7 070.2 | 7 657.3 | 31 146.7 |

| Object of expenditure | Revised appropriation | Projected changes: Rate of exchange | Projected changes: Inflation | Projected changes: Commitment authority[a] | Projected changes: Post incumbency and other changes | Projected changes: Total | Proposed final appropriation |
|---|---|---|---|---|---|---|---|
| General operating expenses | 12 226.5 | 113.3 | 182.8 | — | (1 887.3) | (1 591.2) | 10 635.3 |
| Hospitality | 6.2 | 0.1 | 0.1 | — | — | 0.2 | 6.4 |
| Supplies and materials | 2 565.4 | 28.3 | 43.5 | — | 14.3 | 86.1 | 2 651.5 |
| Furniture and equipment | 3 581.1 | 41.2 | 62.9 | — | (437.3) | (333.2) | 3 247.9 |
| Improvement of premises | 339.0 | 0.2 | 1.6 | 1 975.0 | (70.3) | 1 906.5 | 2 245.5 |
| Grants and contributions | 2 807.2 | — | — | — | 130.7 | 130.7 | 2 937.9 |
| Staff assessment | 15 310.5 | 58.7 | (47.1) | — | (14.4) | (2.8) | 15 307.7 |
| **Total expenditure (gross)** | **196 659.9** | **1 471.4** | **910.3** | **1 975.0** | **3 311.1** | **7 667.8** | **204 327.7** |
| Income | | | | | | | |
| Staff assessment | 15 310.5 | 58.7 | (47.1) | — | (14.4) | (2.8) | 15 307.7 |
| **Total requirements (net)** | **181 349.4** | **1 412.7** | **957.4** | **1 975.0** | **3 325.5** | **7 670.6** | **189 020.0** |

[a] Resolution 61/263.

***Posts (decrease: $2,272,600)***

10. The decrease is attributable to reduced requirements under salaries ($658,800) and common staff costs ($1,613,800) arising from lower actual common staff costs than budgeted. The budgetary assumptions included a vacancy rate of 15.1 per cent for the Professional category and above and 8.9 per cent for the General Service and related categories. During 2006, the average vacancy rates experienced by the Registry were 10.2 per cent for the Professional category and 9.6 per cent for General Service category. For the period from January to October 2007, the average vacancy rates were 13.3 per cent for the Professional category and 12.0 per cent for the General Service category. At the time of preparation of the present report, a total of 107 posts (31 Professional and 76 General Service) remained unencumbered, reflecting actual vacancy rates of 13.3 per cent for Professional posts and 13.1 per cent for General Service posts.

11. Provisions under staff assessment amount to $15,307,700, reflecting a net decrease of $2,800, which is offset under income from staff assessment.

***Other staff costs (increase: $831,500)***

12. The net increase in resources reflects additional requirements for general temporary assistance ($636,300) and overtime ($335,000), partially offset by reduced requirements under contractual security services ($139,800) owing to reduced requirements in Kigali. Under general temporary assistance, additional requirements relate to the provision of uninterrupted judicial, legal and administrative services that are essential to support the judicial calendar and heightened trial activities of the Tribunal during the biennium. In addition, requirements also reflect the continuation of 32 additional General Service (Local level) positions required for strengthening the security and safety of the Tribunal's staff and premises. It is recalled that the General Assembly, in its resolution 58/295,

endorsed the recommendations of the Advisory Committee on Administrative and Budgetary Questions, including its recommendation that the requested provision for general temporary assistance be accommodated within the budget of the Tribunal and included in the performance report (A/58/758, para. 18). With regard to overtime, the higher requirements are due to unavoidable provision of uninterrupted support services, particularly of security and transportation services, during extended court sessions and during peak periods, and also for the movement of witnesses and detainees both in Arusha and Kigali.

***Consultants and experts (decrease: $292,300)***

13. The reduced requirements under this category relate to lesser demand than originally anticipated for expert witnesses by the defence teams.

***Travel (increase: $238,600)***

14. The resources under this category include travel of staff and witnesses, and the increase pertains to travel of witnesses. A number of protected witnesses were allowed by ICTR Trial Chambers to be accommodated in hotels, whereas as per procedure they would normally be accommodated in the safe houses. As a result, costs related to witness accommodation, meals and other expenses while staying in hotels were charged against the travel budget for defence witnesses, thereby increasing the requirements under travel. The shift of charges to the travel provision consequently generated savings under witness costs (see para. 20 (e) below), which cover meals, clothing, cleaning material, dry food, medical care, etc., when protected witnesses are accommodated at safe houses.

***Contractual services (increase: $7,070,200)***

15. The increase in resources primarily reflects additional requirements for defence counsel fees owing to the heavy judicial calendar (increased trial days) and the increase in the number of accused in the pre-trial, trial (both prosecution and defence stage), sentencing and appeals phases. During the biennium 2006-2007, a total of 105 accused persons have been at different stages of trial proceeding, as compared to 83 accused during the biennium 2004-2005.

16. In the pre-trial phase, defence team members are restricted in terms of the number of the times they can travel to Arusha. When a case moves to the trial stage, two counsels come on board. They stay in Arusha or other places, ordered for sitting for protracted periods of three months, with the entire time spent in court and paid at full cost without reduction. Consequently, the level of fees and other expenses, such as daily subsistence allowances and travel claims, is much higher when the cases move to the trial phase.

17. The defence counsel costs in the biennium 2006-2007 are higher due to the following reasons:

(a) Most of the cases that commenced in 2004-2005 biennium were in the prosecution stage of the trial, and therefore did not have the full impact of defence expenditure, since the defence team members did not travel as much and they concentrated more on hearing prosecution testimony;

(b) During the prosecution phase of the trial, a maximum of three members of the defence team (counsel, co-counsel and a single legal assistant) are allowed to

attend trial in Arusha. However, during the defence phase of the trial, the defence team increases by an additional member, the investigator, who must attend the proceedings when defence witnesses are giving testimony. Furthermore, the legal team travels or visits for purposes of assessing and selecting defence witnesses wherever they are located, and counsel spends considerable time in Arusha preparing witnesses for trial.

18. In addition, there are a total of 936 trial days in the biennium 2006-2007 (887 in respect of first instance cases in progress and 49 cases on appeal), as compared to a total of 704 trial days in the biennium 2004-2005 (549 for first instance cases in progress and 155 for cases on appeal), for an overall increase of 232 trial days, or 33 per cent.

19. With regard to the lump sum system, it has been progressively applied to new single accused cases. It was not applied to cases in progress (whether multiple or single accused) due to disagreement and protests of defence lawyers; hence the defence counsel fees and travel expenses continued to be paid based on the previous arrangement/mechanism.

***General operating expenses (decrease: $1,887,300)***

20. The reductions under this category result mainly from lower requirements for: (a) rental and maintenance of premises ($163,200), due to lower requirements and rental rates related to safe houses, an off-site storage area and general maintenance of the facilities at Arusha and Kigali; (b) rental of fixed-wing aircraft ($36,900), due to reduced flying hours; (c) communications ($442,300) arising from cost-efficiency measures implemented by the Tribunal during the biennium 2006-2007, including the streamlining of telephone and telecommunications usage and the introduction of an electronic telephone billing system; (d) miscellaneous services ($222,300) related to lower costs for freight-related charges, bank charges, and maintenance of furniture, equipment and vehicles; (e) witness costs ($878,900), due to the reduced number of witnesses being called upon to testify and charging certain costs against travel, as outlined in paragraph 14 above; and (f) the enforcement of sentences ($213,900), which is due to delay in the finalization of agreements regarding the enforcement of sentences.

21. The decrease is offset by increased requirements under utilities ($70,200) due to a higher electricity tariff.

***Furniture and equipment (decrease: $437,300)***

22. The reductions relate to reduced requirements for transportation equipment ($209,900), office furniture and equipment ($67,100), office automation equipment ($49,100) and other equipment ($111,200). The savings under transportation equipment was realized by acquiring slightly used (second-hand) vehicles from the United Nations Operation in Burundi at substantially reduced prices compared to the budgeted amount. In addition, in the light of the proximity of the closure of the Tribunal, the Tribunal restricted the acquisition of furniture and equipment to the absolute minimum to cover primarily unavoidable replacement of worn-out, unserviceable and dilapidated furniture and equipment.

***Improvement of premises (decrease: $70,300)***

23. The reduction of $70,300 under this category is attributable to the deferment of some projects pending finalization of the drawdown plan for the downsizing of operations.

24. In addition, the General Assembly, in its resolution 61/263, authorized the Secretary-General to enter into commitments up to $1,975,000 under the budget for the International Criminal Tribunal for Rwanda, to implement the first phase of the standardized access control system without prejudice to the implementation of projects previously approved for the biennium 2006-2007, to be reported in the context of the second performance report. Accordingly, the Tribunal has entered into commitment for the entire amount for the implementation of the projects related to perimeter intrusion, access control barriers, reinforcement of security control room, and identification server and badging stations.

***Grants and contributions (increase: $130,700)***

25. The increase relates to additional requirements related to the Tribunal's share in the costs for the coordination of United Nations security measures, including charges for malicious act insurance.

# III. Conclusion

26. **The General Assembly is requested to take note of the present report and to approve the final appropriation for the biennium 2006-2007 of $279,512,400 gross ($257,114,600 net) to the Special Account for the International Criminal Tribunal for Rwanda.**

# Annex I

## Budgetary assumptions

The following parameters were used in formulating the present proposed estimates for the final appropriation:

| | *Duty station* | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *The Hague (euro to US$1)* | | | | *Arusha (Tanzania shilling to US$1)* | | | | *Kigali (Rwanda franc to US$1)* | | | |
| | *Estimates used for the revised appropriation* | | *Proposed estimates for the final appropriation* | | *Estimates used for the revised appropriation* | | *Proposed estimates for the final appropriation* | | *Estimates used for the revised appropriation* | | *Proposed estimates for the final appropriation* | |
| *Budget parameters* | *2006* | *2007* | *2006* | *2007* | *2006* | *2007* | *2006* | *2007* | *2006* | *2007* | *2006* | *2007* |
| Rate of exchange | 0.804 | 0.804 | 0.802 | 0.734 | 1 235.917 | 1 267.000 | 1 238.917 | 1 243.250 | 552.610 | 552.610 | 552.610 | 547.047 |
| Inflation rate (percentage) | 1.4 | 1.6 | 1.1 | 1.8 | 5.9 | 4.9 | 6.1 | 7.0 | 6.7 | 6.0 | 8.9 | 8.0 |
| Post adjustment multiplier (percentage) | 47.43 | 44.15 | 47.84 | 55.34 | 38.47 | 37.18 | 38.47 | 40.10 | 38.93 | 38.35 | 38.93 | 39.42 |

# Annex II

## Trial activities during the biennium 2006-2007

1. From 1 January 2006 to 23 November 2007, the three Trial Chambers of the International Criminal Tribunal for Rwanda rendered eight judgements in cases involving eight accused persons (Paul Bisengimana, Joseph Serugendo, Jean Mpambara, Tharcisse Muvunyi, Joseph Nzabirinda, Athanase Seromba, André Rwamakuba, and Juvénal Rugambarara). Two other trials involving five accused have been completed and await judgements (Theoneste Bagosora, Gratien Kabiligi, Aloys Ntabakuze and Anatole Nsengiyumva and François Karera). One case has been transferred to the Netherlands. A new trial concerning one accused commenced in June 2007. In addition to the 27 cases involving 33 accused that have been completed in first instance, trials involving 28 accused in 12 different cases are in progress. Six detainees are awaiting trial.

2. The Appeals Chamber rendered 4 appeal judgements in respect to six persons (André Ntagerura, Emmanuel Bagambiki, Samuel Imanishimwe, Sylvestre Gacumbitsi, Emmanuel Ndindabahizi and Mika Muhimana), 9 interlocutory decisions, 8 decisions on review or reconsideration, 1 decision on a referral appeal and 96 pre-appeal orders and decisions.

3. All outstanding indictments for genocide have now been confirmed by the Office of the Prosecutor. The Prosecutor has handed 30 case files to the Government of Rwanda for prosecution before the national court. The Prosecutor, pursuant to rule 11bis of the Rules of Procedure and Evidence, has transferred one case to the Netherlands and has filed motions for the transfer of one case to Rwanda and two cases to France. The Prosecutor awaits Trial Chamber decisions on the three motions. Negotiations are in progress with a number of Governments for the transfer of approximately 15 cases from the Tribunal to national jurisdictions. The African Commission on Human and People's rights has agreed to monitor all cases transferred to African countries on behalf of the Prosecutor. The tracking of fugitives has been intensified.

4. The Registry continues to support the judicial process by providing administrative and management support to the other organs of the Tribunal, and providing judicial and legal support to the Trial Chambers and the defence. The Registry continues to seek support from Member States, international organizations and other stakeholders in the conduct of proceedings for the purposes of assistance to defence teams, organizing meetings and interviews of potential witnesses, and facilitating the travel of witnesses to provide testimony.

5. The Registrar has maintained high-level diplomatic contacts and brought about formal and informal agreements with States and international organizations to secure their continued cooperation with the Tribunal, and ensure the smooth running of trials, the protection of witnesses, and the successful and timely meeting of the completion strategy. Rwanda has continued to cooperate with the Tribunal by facilitating the flow of witnesses from Kigali to Arusha and by providing relevant documents to the court proceedings.

6. To date, the Tribunal has concluded agreements with six countries on enforcing the sentences of the Tribunal. Three of them were concluded with African countries (Benin, Mali and Swaziland), and the other three with European countries (France, Italy and Sweden). Negotiations are under way with other States to secure similar agreements.

# Annex III

## Voluntary contributions and trust fund activities

1. The General Assembly, in its resolution 49/251, invited Member States and other interested parties to make voluntary contributions to the International Criminal Tribunal for Rwanda both in cash and in the form of services and supplies acceptable to the Secretary-General.

2. To date, cash contributions to the Voluntary Fund to support the activities of the Tribunal amount to $11,235,965. The details are provided in the table below.

**Cash contributions to the Voluntary Fund as at 31 October 2007**

(United States dollars)

| *Contributor* | *Total amount* |
|---|---|
| Belgium | 2 705 450 |
| Canada | 734 850 |
| Chile | 1 000 |
| Czech Republic | 40 986 |
| Denmark | 43 452 |
| Egypt | 11 000 |
| Finland | 550 560 |
| Greece | 20 000 |
| Holy See | 3 000 |
| Ireland | 555 178 |
| Israel | 7 500 |
| Lebanon | 3 000 |
| Netherlands | 2 995 531 |
| New Zealand | 34 792 |
| Norway | 349 966 |
| Spain | 150 000 |
| Sweden | 68 729 |
| Switzerland | 188 025 |
| United Kingdom of Great Britain and Northern Ireland | 492 000 |
| United States of America | 320 000 |
| European Community | 1 889 635 |
| Ford Foundation | 20 000 |
| Open Society Institute | 40 000 |
| Law Foundation of Ontario | 10 719 |
| Ms. Anne-Marie de Brouwer | 594 |
| **Total** | **11 235 965** |

3. Projected expenditures for the biennium 2006-2007 are set out in the table below. The variance between the initial and revised estimates is due to the lower rate of implementation in respect of earmarked outreach projects due to the delay in the receipt of pledged contributions. The overall level of resources of the Fund as at 31 October 2007 was $1,435,092.

**Projected expenditures by object of expenditure**

(Thousands of United States dollars)

| *Object of expenditure* | *2006-2007 estimate* | *2006-2007 revised estimate* | *Increase (decrease)* |
|---|---|---|---|
| Other staff costs | 285.9 | 191.9 | (94.0) |
| Consultants and experts | 106.5 | 135.9 | 29.4 |
| Travel | 444.6 | 316.8 | (127.8) |
| Contractual services | 644.4 | 495.5 | (148.9) |
| General operating expenses | 243.1 | 141.7 | (101.4) |
| Supplies and materials | 194.4 | 186.6 | (7.8) |
| Furniture and equipment | 372.3 | 180.0 | (192.3) |
| Fellowships, grants and contributions | 231.5 | 144.6 | (86.9) |
| **Total** | **2 522.7** | **1 793.0** | **(729.7)** |

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**General Assembly**
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Agenda item 17
**The situation in the Middle East**

**Security Council**
**Sixty-second year**

## Identical letters dated 26 November 2007 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations committed from 8 to 14 November 2007 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 17, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

07-62274 (E) 051207 051207

## Annex to the identical letters dated 26 November 2007 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

**Israeli violations, acts of aggression and other activities from 8 to 14 November 2007, inclusive**

**Air violations**

On 8 November 2007:

- Between 1200 and 1255 hours, two Israeli warplanes violated Lebanese airspace, entering over Rumaysh heading north, proceeded as far as Shikka, circled over the regions of Shikka, Beirut and the South, then left over Naqurah.
- Between 1300 and 1410 hours, two Israeli enemy warplanes violated Lebanese airspace, entering over Rumaysh heading north, circled over the North, Beirut and the South, then left over Alma al-Sha`b.

On 9 November 2007, between 2300 and 2400 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Naqurah, circled over the sea off Beirut, then left over the sea off Naqurah.

On 10 November 2007, between 2132 and 2222 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Beirut, then left over the sea off Naqurah.

On 12 November 2007:

- Between 0915 and 1030 hours, four Israeli enemy warplanes violated Lebanese airspace, entering over Aytarun, circled over all areas of Lebanon, then left over the sea off Tripoli heading in the direction of Turkey.
- Between 1057 and 1110 hours, two Israeli enemy warplanes violated Lebanese airspace, entering over Alma al-Sha`b, proceeded as far as Damur, returned south over the sea, then left over the sea off Naqurah.
- Between 1700 and 1800 hours, an Israeli enemy reconnaissance aircraft overflew Ayn al-Tinah and Mashgharah.

On 13 November 2007:

- Between 0740 and 0830 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace and overflew the Baalbek area at very high altitude.
- Between 1719 and 1915 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh heading north, circled over the areas of Beirut, the Shuf and the South, then left over Aytarun.
- Between 2030 and 2330 hours, an Israeli enemy reconnaissance aircraft intermittently overflew the Bint Jubayl area.

On 14 November 2007:

- Between 0630 and 1120 hours, an Israeli enemy reconnaissance aircraft overflew the Jazzin, Bint Jubayl, Nabatiyah and Naqurah areas.
- Between 0700 and 0705 hours, Israeli enemy warplanes overflew the Zahrani area, and then, between 1000 and 1015 hours, overflew the Naqurah area.
- Between 0930 and 1600 hours, an Israeli enemy reconnaissance aircraft overflew the Hasbayya area.
- Between 1030 and 1200 hours, an Israeli enemy reconnaissance aircraft overflew the Bint Jubayl and Tibnin areas.
- Between 1145 and 1230 hours, Israeli enemy military aircraft intermittently overflew the Tyre, Tibnin and Bint Jubayl areas.

**Sea violations**

None.

**Acts of aggression in the field**

On 9 November 2007 Israeli enemy forces opened fire on the brothers Khalid and Ali Al-Muhammad, because they were accused of carrying out a smuggling operation in the town of Al-Ghajar, wounded one of the brothers and then detained them. On 12 November 2007, the said forces detained the wife of Sa`id Kahmuz and her two children in that same town for reasons related to the same matter.

On 12 November 2007, between 1430 and 1600 hours, and again between 1640 and 1700 hours, Israeli enemy forces fired several bursts of medium-weapons fire from their position on Radar hill towards the area around the said position.

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**Sixty-second session**
Agenda item 140
**Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations**

# Transfer of buildings to the United Nations Logistics Base at Brindisi, Italy

## Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee has considered the note by the Secretary-General containing a proposal for the acceptance of 6 additional buildings and 12 open areas offered by the Government of Italy in support of the United Nations Logistics Base at Brindisi, Italy (UNLB) (A/62/548). The Secretary-General is seeking the approval of the General Assembly for the acceptance of the buildings, consistent with financial regulation 3.11, since this would entail additional financial liability for the United Nations in respect of the cost of their renovation and maintenance.

2. The UNLB premises and their use at Brindisi have been governed by a memorandum of understanding between the United Nations and the Government of Italy, concluded on 23 November 1994 and subsequently amended on 7 December 2001. The memorandum of understanding provides rent-free premises on military installations in Brindisi for supporting peacekeeping, humanitarian and related operations. The current proposal before the General Assembly concerns a second amendment to the memorandum of understanding, which takes into account the offer of the Government of Italy to transfer 5 buildings (1,760 $m^2$) to UNLB as approved by the Assembly in its decision 58/557, as well as an additional 6 buildings (6,805 $m^2$) and 12 open areas (70,739 $m^2$). Of the 11 buildings, 9 are to be used by the United Nations and 2 by the World Food Programme. It is proposed to renovate and adapt the 9 buildings and 12 open areas at a cost of $3 million and $0.6 million, respectively. The financial requirements would be included in the budget proposal for the period 2008/09. The total annual maintenance cost to be borne by the Organization for the 11 buildings and open areas is estimated at $370,000.

3. Upon enquiry, the Advisory Committee was provided additional information and clarification on the nature of the second amendment to the memorandum of understanding and the timing of its conclusion, given that the transfer of 5 buildings was authorized by the General Assembly in its decision 58/557. The Committee was

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informed that, following the decision of the Assembly, during the course of the negotiations on the transfer of the 5 buildings, the Italian Government had made an offer to transfer 6 additional buildings and 12 open areas to UNLB and that the parties found it efficient to conclude a single amendment to the agreement rather than two separate amendments.

4. The Advisory Committee recalls that the memorandum of understanding of 23 November 1994 initially provided for some 42,000 $m^2$ of building space, including office buildings, warehouses, storage areas, workshops, an information and communications technology data recovery centre and an electrical substation. Amendment 1 to the memorandum of understanding provided an addition 9,000 $m^2$ of warehouse space. The Committee was informed that the additional buildings to be accepted under the terms of amendment 2 to the memorandum are situated within the premises of the Logistics Base and provide further space of 8,565 $m^2$, comprising office buildings, a small warehouse, a recycling yard and a depository for hazardous material. These buildings would house the UNLB headquarters, including all administrative sections, the Air Operations Unit and the staff cafeteria, as part of the overall reconfiguration of the Logistics Base. The additional open areas include parking facilities and storage facilities for strategic deployment stocks as well as green areas.

5. Upon conclusion of the aforementioned amendment to the memorandum of understanding following approval by the General Assembly, renovation work could commence during the 2007/08 budget cycle. Upon enquiry, the Advisory Committee was provided additional information on current and projected expenditures for the period 2007/08 (see annex), showing a projected unencumbered balance of $401,005. The Committee was also informed that an amount of $400,000 from the approved resources for 2007/08 could be utilized for the renovation costs of the buildings and open areas, with a corresponding reduction in the overall requirement of $3.6 million for 2008/09. **Should there be a further unutilized balance in the current period, the Committee requests that it also be used to cover the costs of renovation and maintenance of the additional buildings and be reported in the context of the performance report for 2007/08. The budget proposal for 2008/09 should take into account all expenditures incurred during 2007/08 for the renovation of the buildings and open spaces, and should be reduced accordingly.**

6. The availability of additional premises in Brindisi would allow closure of the off-site warehouse in San Pancrazio. Upon enquiry, the Advisory Committee was informed that this would generate savings of some $700,000 in annual recurring costs, including $270,000 for security services, $400,000 for freight costs and $30,000 in general operating and labour costs. **The Committee recommends that the 2008/09 budget proposal reflect savings resulting from the closure of the San Pancrazio facility.**

7. **The Advisory Committee welcomes the contributions of the Government of Italy in support of UNLB and recommends that the General Assembly approve the request of the Secretary-General, subject to its observations in paragraphs 5 and 6 above on the level of resources in the budget proposal for 2008/09 concerning the renovation of the premises and annual maintenance costs.**

# Annex

## Current and projected expenditures of the United Nations Logistics Base at Brindisi, Italy, for the period from 1 July 2007 to 30 June 2008 as of 31 October 2007[a]

(Thousands of United States dollars)

| | *Expenditure as of 31 October 2007* | | | *Projected* | | |
|---|---|---|---|---|---|---|
| *Class description* | *Apportionment* (A) | *Total expenditure* (B) | *Unencumbered balance* (C) = (A-B) | *Projections 01 11 07-30 06 08* (D) | *Total expenditure including projected* (E) = (B+D) | *Estimated unencumbered balance as at 30 June 2008* (F) = (A-E) |
| **I. Military and police personnel** | | | | | | |
| 212 Military observers | — | — | — | — | — | — |
| 213 Military contingents | — | — | — | — | — | — |
| 214 Civilian police | — | — | — | — | — | — |
| 216 Formed police units | — | — | — | — | — | — |
| **Total Group I** | **—** | **—** | **—** | **—** | **—** | **—** |
| **II. Civilian personnel** | | | | | | |
| 221 International staff | 6 288 800 | 2 314 975 | 3 973 825 | 3 973 825 | 6 288 800 | — |
| 222 National staff | 11 119 300 | 3 296 242 | 7 823 058 | 7 823 058 | 11 119 300 | — |
| 223 United Nations Volunteers | — | — | — | — | — | — |
| 224 General temporary assistance | 941 400 | 114 770 | 826 630 | 826 630 | 941 400 | — |
| **Total Group II** | **18 349 500** | **5 725 987** | **12 623 513** | **12 623 513** | **18 349 500** | **—** |
| **III. Operational costs** | | | | | | |
| 225 Government-provided personnel | — | — | — | — | — | — |
| 226 Civilian electoral observers | — | — | — | — | — | — |
| 227 Consultants | 532 700 | 112 722 | 419 978 | 373 343 | 486 065 | 46 635 |
| 228 Official travel | 628 000 | 84 793 | 543 207 | 511 807 | 596 600 | 31 400 |
| 230 Facilities and infrastructure | 5 682 400 | 2 046 776 | 3 635 624 | 3 351 504 | 5 398 280 | 284 120 |
| 231 Ground transportation | 961 600 | 438 006 | 523 594 | 503 594 | 941 600 | 20 000 |
| 232 Air transportation | — | — | — | — | — | — |
| 233 Naval transportation | — | — | — | — | — | — |

| Class description | Expenditure as of 31 October 2007 | | | Projected | | |
|---|---|---|---|---|---|---|
| | Apportionment (A) | Total expenditure (B) | Unencumbered balance (C) = (A-B) | Projections 01/11/07-30/06/08 (D) | Total expenditure including projected (E) = (B+D) | Estimated unencumbered balance as at 30 June 2008 (F) = (A-E) |
| 234 Communications | 4 882 000 | 2 099 909 | 2 782 091 | 2 782 091 | 4 882 000 | — |
| 235 Information technology | 5 269 000 | 2 249 808 | 3 019 192 | 3 019 192 | 5 269 000 | — |
| 236 Medical | 377 000 | 144 630 | 232 370 | 213 520 | 358 150 | 18 850 |
| 237 Special equipment | — | — | — | — | — | — |
| 238 Miscellaneous supplies, services and equipment | 3 635 400 | 2 850 431 | 784 969 | 784 969 | 3 635 400 | — |
| 239 Quick-impact projects | — | — | — | — | — | — |
| **Total Group III** | **21 968 100** | **10 027 075** | **11 941 025** | **11 540 020** | **21 567 095** | **401 005** |
| **Gross** | **40 317 600** | **15 753 062** | **24 564 538** | **24 163 533** | **39 916 595** | **401 005** |
| **Total** | **40 317 600** | **15 753 062** | **24 564 538** | **24 163 533** | **39 916 595** | **401 005** |

[a] Pre-encumbrance not included in total expenditures.